

## **§ 979.51**

(b) Marketing policy statements relating to recommendations for regulations shall give appropriate consideration to melon supplies for the remainder of the season, with special consideration to:

- (1) Estimates of total supplies including grade, size, and quality thereof, in the production area;
- (2) Estimates of supplies of melons in competing areas;
- (3) Estimates of supplies of other competing commodities;
- (4) Market prices by grades, sizes, containers, and packs;
- (5) Anticipated marketing problems;
- (6) Level and trend of consumer income; and
- (7) Other relevant factors.

### **§ 979.51 Recommendations for regulations.**

Upon complying with requirements of § 979.50, the committee may recommend regulations to the Secretary when it finds that such regulations as are authorized in this order will tend to effectuate the declared policy of the act.

### **§ 979.52 Issuance of regulations.**

(a) The Secretary shall limit by regulation the handling of melons when he finds from the recommendations and information submitted by the committee, or from other available information, that such regulations would tend to effectuate the declared policy of the act.

(b) Such regulations may:

- (1) Limit the handling of particular grades, sizes, maturities, qualities, or packs, or any combination thereof, of any or all varieties of melons during any period;
- (2) Limit the handling of particular grades, sizes, maturities, qualities, or packs of melons differently for different varieties, for different markets, for different containers, or any combination of the foregoing, during any period;
- (3) Fix the size, capacity, weight, dimension, or pack of the container, or containers, which may be used in the packaging or handling of melons, including appropriate container markings to identify the contents thereof.

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(c) The regulations or any portions of such regulations issued hereunder may be amended, modified, suspended, or terminated by the Secretary whenever it is determined:

- (1) That such action is warranted upon recommendation of the committee or other available information;
- (2) That such action is essential to provide relief from inspection, assessment, or regulations under paragraph (b) of this section for minimum quantities less than customary commercial transactions; or
- (3) That regulations issued hereunder obstruct or no longer tend to effectuate the declared policy of the act.

### **§ 979.54 Handling for special purposes.**

Regulations in effect pursuant to §§ 979.42, 979.52, or 979.60 may be modified, suspended, or terminated by the Secretary, upon recommendation of the committee, to facilitate handling of melons for: (a) Relief or charity, (b) experimental purposes, (c) exports, and (d) other special purposes, which may be recommended by the committee and approved by the Secretary.

### **§ 979.55 Safeguards.**

The committee, with the approval of the Secretary, may establish through rules and regulations, the requirements with respect to proof that shipments made pursuant to § 979.54 were handled and used for the purpose stated.

### **§ 979.56 Notification of regulations.**

The Secretary shall promptly notify the committee of regulations issued and of any modification, suspension, or termination thereof. The committee shall give notice thereof to all handlers of melons in the production area. In addition, the committee shall make the information available to growers through appropriate news releases or such other means as may be available.

## **INSPECTION**

### **§ 979.60 Inspection and certification.**

(a) Whenever the handling of melons is regulated pursuant to § 979.52 or at other times when recommended by the committee and approved by the Secretary, no handler shall handle melons